

**AMENDMENT TO RULES COMMITTEE PRINT 118-**

**10**

**OFFERED BY MR. PFLUGER OF TEXAS**

At the end of subtitle C of title XVIII, add the following:

**1 SEC. \_\_\_\_ . DISCLOSURES OF FOREIGN GIFTS.**

2 Section 117 of the Higher Education Act of 1965 (20  
3 U.S.C. 1011f) is amended—

4 (1) in subsection (a), by striking “Whenever”  
5 and inserting “Except as provided in subsection (d),  
6 whenever”;

7 (2) by redesignating subsections (d) through (h)  
8 as subsections (e) through (i), respectively;

9 (3) by inserting after subsection (c) the fol-  
10 lowing:

11 “(d) SPECIAL RULES RELATING TO PRC-, CCP-,  
12 AND PLA-AFFILIATED ORGANIZATIONS.—

13 “(1) ENHANCED DISCLOSURES OF GIFTS AND  
14 CONTRACTS.—

15 “(A) IN GENERAL.—Whenever any institu-  
16 tion receives a gift from or enters into a con-  
17 tract with a PRC-, CCP-, or PLA-affiliated or-  
18 ganization, the value of which is \$5,000 or

1 more, considered alone or in combination with  
2 all other gifts from or contracts with that orga-  
3 nization within a calendar year, the institution  
4 shall file a disclosure report with the Secretary  
5 on January 31 or July 31, whichever is sooner.

6 “(B) CONTENTS OF REPORT.—Each report  
7 under subparagraph (A) shall include—

8 “(i) the information described in sub-  
9 sections (b) and (c) (as applicable);

10 “(ii) the full legal name of the indi-  
11 vidual or organization that made the gift  
12 or entered into the contract to which the  
13 disclosure pertains; and

14 “(iii) instructions for accessing the in-  
15 formation made available under paragraph  
16 (3).

17 “(2) DISCLOSURE OF JOINT ACTIVITIES.—On  
18 an annual basis, any institution that receives funds  
19 under a Federal grant program shall file a disclosure  
20 report with the Secretary that identifies any activi-  
21 ties conducted pursuant to a contract or other agree-  
22 ment between the institution and a PRC-, CCP-, or  
23 PLA-affiliated organization, including any joint re-  
24 search or academic exchanges.

1           “(3) PUBLIC AVAILABILITY OF AGREEMENTS.—  
2       Each institution shall make available, on a publicly  
3       accessible website of the institution, the full text of  
4       any contract, agreement, or memorandum of under-  
5       standing between the institution and a PRC-, CCP-  
6       , or PLA-affiliated organization (regardless of  
7       whether the contract, agreement, or memorandum  
8       remains in effect).”;

9           (4) in subsection (i), as so redesignated—

10           (A) by redesignating paragraph (5) as  
11           paragraph (6); and

12           (B) by inserting after paragraph (4) the  
13           following:

14           “(5) The term ‘PRC-, CCP-, or PLA-affiliated  
15       organization’ means any entity that receives support  
16       directly or indirectly from the Government of the  
17       People’s Republic of China, the Chinese Communist  
18       Party, or the People’s Liberation Army, including—

19           “(A) a cultural, language, or educational  
20       institute or program;

21           “(B) a think tank that has received more  
22       than \$100,000 in one calendar year or more  
23       than 10 percent of the total funding for such  
24       think tank for that year, whichever is less, from  
25       the Government of the People’s Republic of

1 China, the Chinese Communist Party, or the  
2 People's Liberation Army, or individuals affili-  
3 ated with such organizations;

4 “(C) a person who is a current member of  
5 the Government of the People's Republic of  
6 China, the Chinese Communist Party, or the  
7 People's Liberation Army, or is otherwise active  
8 in collaborating with such organizations as an  
9 employee or advisor;

10 “(D) a Chinese state-owned enterprise or  
11 partially or wholly owned subsidiary of a Chi-  
12 nese state-owned enterprise; and

13 “(E) a company, think tank, nonprofit, or  
14 other similar entity, which has on its board of  
15 directors or with equity ownership or voting  
16 control in excess of 5 percent any members of  
17 the Government of the People's Republic of  
18 China, the Chinese Communist Party, or the  
19 People's Liberation Army, or executives of a  
20 Chinese state-owned enterprise, including the  
21 president, vice president, or any other officer  
22 who performs a policy making function or any  
23 other person who performs similar policy mak-  
24 ing functions for such enterprise, including an  
25 executive officer of a subsidiary of such enter-

1           prise who performs such policy making func-  
2           tions.”.

